

REMARKS

Claims 2, 3, 6-10, 13-24, 33, 42, 43, 46, 47, 53, and 54 are pending in the application.

Claims 6-10 are original.

Claims 13-23, 33, 46, 53, and 54 were previously presented.

Claims 1-5, 11, 12, 24-32, 34-45, and 47-52 are cancelled herein.

Claims 6-10, 13-23, 33, 46, 53, and 54 would be all of the claims remaining in the application if the present amendment is entered.

Applicants preserve their right to reintroduce claims embracing deleted or cancelled subject matter in this application or any continuations, divisionals, or continuations-in-part thereof.

Claim Rejections - 35 U.S.C. § 102

Claims 2, 3, 6, 9, 10, 23, 24, 33, 42, 43, 46, 47, 53, and 54 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by the following references:

- (a) Furuya et al. (U.S. 5,817,819);
- (b) Furuya et al. (WO 95/28405 or WO 96/24597);
- (c) Furuya et al. (WO 97/07119);
- (d) Morimoto et al. (U.S. 5,284,661); and
- (e) Morimoto et al. (EP 0 443 568 A1).

The Examiner alleged that the references disclose specific compounds that anticipate the claims. The Examiner further alleged that the disclosed compounds read on compounds of formulae I (Claims 53 and 54) II (Claim 6), III (Claim 10), and XI (Claim 1), wherein among other groups, ring W is substituted with -A-B-R³, A is -C(=O)-, B is O, and R³ is hydrogen or alkyl.

Applicants respectfully traverse this rejection on the basis that Claims 2, 3, 24, 42, 43, and 47 are cancelled, rendering the rejection of Claims 2, 3, 24, 42, 43, and 47 moot, and that the referenced compounds do not disclose all of the elements of the subject matter of Claims 6, 9, 10, 23, 33, 46, 53, or 54.

The compounds referenced in the Office Action contain the following moieties at the 2-position of a thiophene:

- (a) U.S. 5,817,819: substituted phenyl;
- (b) WO 96/24597: phenyl or substituted phenyl; and WO 95/28405: substituted phenyl (page 146);
- (c) WO 97/07119: substituted phenyl, H, or bromo;
- (d) U.S. 5,284,661: ethyl; and
- (e) EP 0 443 568 A1: ethyl.

Claims 6, 9, 10, 23, 33, 46, 53, and 54 relate to compounds that contain, among other groups, the moiety $-A-B-R^3$, which is attached to the 2-position of a thiophene. In Claims 6, 9, 10, 23, 33, 46, 53, and 54, the moiety $-A-B-R^3$ is $-C(=O)-N(R^5)-R^3$, $-C(=O)-O-R^3$, $-S(=O)_{0-2}-N(R^5)-R^3$, $-S(=O)_{0-2}-O-R^3$, or $-C\equiv C-$, as defined therein.

Applicants believe that the referenced compounds identified in the Office Action do not read on compounds of formulae I (Claims 53 and 54) II (Claim 6), III (Claim 10), or XI (Claim 1), wherein among other groups, ring W is substituted with $-A-B-R^3$, A is $-C(=O)-$, B is O, and R^3 is hydrogen or alkyl. The referenced compounds contain groups phenyl, substituted phenyl, hydrogen, bromo, or ethyl at the 2-position of a thiophene, whereas the compounds of Claims 6, 9, 10, 23, 33, 46, 53, or 54 do not contain these groups at the 2-position of the instant thiophene. Accordingly, Applicants believe that Claims 6, 9, 10, 23, 33, 46, 53, or 54 are not anticipated by the references cited above, and thus that Claims 6, 9, 10, 23, 33, 46, 53, or 54 are patentable under 35 U.S.C. § 102(b).

Claim Objections

Claims 7, 8, and 13-22 are objected to as allegedly being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim.

Applicants traverse the objection on the basis that Applicants believe that the rejection of the base claims, specifically Claim 6, which is the base claim for Claims 7 and 8, and Claim 53, which is the base claim for Claims 13-22, have been overcome above. Accordingly, Applicants believe that the objection to Claims 7, 8, and 13-22 is overcome.

Supplemental Information Disclosure Statement

Applicants make available to the Patent and Trademark Office a Supplemental Information Disclosure Statement on forms PTO/SB/08A and/or PTO/SB/08B and a copy of the art cited thereon. Applicants respectfully request that the Examiner consider carefully the complete text of the cited reference(s) in connection with the continued examination of the above-identified application in accord with 37 CFR §1.104(a).

It is respectfully requested that all cited reference(s) considered by the Examiner be listed in the "References Cited" portion of any patent issuing from the instant application (MPEP § 1302.12).

Applicants believe that certain PCT International patent application "WO" publication references cited in the IDS are cumulative to their corresponding U.S. patent application publication references, which are also cited in the IDS. In accordance with 37 C.F.R. § 1.98(c), copies of the cumulative WO references are not provided because copies of their corresponding U.S. references are provided.

The cumulative WO references and their corresponding U.S. references are identified in the table below.

Cumulative Reference (no copy provided)	Corresponding Reference (copy provided)
US 2002/0156069	US 6,656,932
WO 03/032999	US 2003/0144274
WO 03/033478	US 2003/0130278
WO 03/076417	US 2003/0216402
US 2003/0220355	US 6,747,147B2
WO 04/000322	US 2004/0006077
WO 04/014384	US 2004/0063673
WO 04/014375	US 2004/0034054
WO 04/014365	US 2004/0038973
WO 04/014908	US 2004/0039012
WO 04/014916	US 2004/0038994
WO 04/014923	US 2004/0043991

Conclusion

In view of the above amendments and remarks, Applicants believe that Claims 6-10, 13-23, 33, 46, 53, and 54 are in condition for allowance. Applicants request reconsideration and allowance of Claims 6-10, 13-23, 33, 46, 53, and 54.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to deposit account number 23-0455.

The undersigned may be contacted directly at the below-recited telephone number.

Respectfully submitted,

Date: September 23, 2004

Claude F. Purchase, Jr.

Claude F. Purchase, Jr.

Reg. No. 47,871

Pfizer Inc.

2800 Plymouth Road

Ann Arbor, MI 48105

Tel. (734) 622-1692

Fax (734) 622-1553